

1:22MJ2025

AFFIDAVIT IN SUPPORT OF
APPLICATION FOR CRIMINAL COMPLAINT

Your Affiant, Nicola A. Fabrizio, deposes and states:

1. Your Affiant is a Special Agent (SA) with the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), a component of the United States Department of Justice, and has served in that capacity since January 2020. Previously your Affiant was employed with the Saugus Police Department located in Saugus, Massachusetts as a Police Officer from 2018 to 2020 as well as an Emergency 911 operator from August 2015 to October 2018. Prior to employment in law enforcement your affiant received a Bachelor of Science in Criminal Justice from Suffolk University in Boston, Massachusetts. Your Affiant is currently assigned to the Cleveland Group II and is charged with investigating violations of federal firearms, explosives, and arson laws, as well as offenses enumerated in Titles 18, 21 and 26 of the United States Code, for all of which your Affiant has received formal training at the Federal Law Enforcement Training Center and the ATF National Academy. As a federal agent, your Affiant is a “Federal Law Enforcement Officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws.

2. Your Affiant is an investigative or law enforcement officer of the United States, and under 18 U.S.C. § 3051, is charged by the Attorney General with the duty of enforcing any of the criminal, seizure, or forfeiture provisions of the laws of the United States, may carry firearms, serve warrants and subpoenas issued under the authority of the United States, make arrests without warrant for any offense against the United States committed in his presence, or for any felony cognizable under the laws of the United States if he has reasonable grounds to believe that the person to be arrested has committed or is committing such felony.

3. Your Affiant has received numerous hours of law enforcement training, both formal and on the job, relating to various law enforcement missions, and has participated in investigations including but not limited to unlawful trafficking in firearms, straw purchasing of firearms, unlawful firearms possession, prohibited firearms, unlawful dealing in firearms, narcotics, criminal street gangs, and other state and federal criminal offenses. Your Affiant has participated in all the usual methods of investigation, including, but not limited to, physical surveillance, the questioning of suspects and witnesses, and the analysis of evidence. Affiant has participated in and conducted investigations involving narcotics activities and the straw purchasing of firearms for prohibited persons using various investigative techniques in order to successfully conduct these investigations.

4. This Affidavit is being submitted for the limited purpose of establishing probable cause that JASON A. WALKER has violated provisions of Title 18, United States Code, Section 922(g), possession of a firearm by a prohibited person. Specifically, that WALKER did unlawfully, knowingly possess, a firearm in and affecting interstate commerce after having been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1), and after having been convicted of a Misdemeanor Crime of Domestic Violence, in violation of Title 18, United States Code, Section 922(g)(9). The statements contained in this affidavit are derived from information provided to me by members of the Lorain Police Department (LPD) as well as my own investigation of this matter. This affidavit does not include every fact known to me regarding this investigation but will seek to summarize relevant information.

PROBABLE CAUSE

5. On May 30, 2021, JASON A. WALKER was arrested by the LPD and alleged to be in possession of a firearm as defined in Chapter 44 of Title 18, United States Code.

6. On the above date LPD Officer (Ofc.) Rivera was parked facing south bound in the area of 435 East Erie Ave, Lorain (Sudzin' Up Detailing), and observed a white Ford Fusion bearing OH Reg: JCN5590 traveling northbound on Colorado Ave. The vehicle approached a red stoplight at the intersection of East Erie Ave and Colorado Ave. The white Ford went around a vehicle that was stopped and waiting at the solid red light and turned West bound (left). Ofc. Rivera followed the white ford and activated his emergency lights to affect a traffic stop for the illegal turn. The vehicle continued eastbound on E. Erie Ave as if it was not going to stop. The vehicle eventually came to a stop at the Pure Gas Station located at 228 E. Erie Ave, Lorain.

7. Ofc. Rivera approached the driver side of the white Ford and observed the sole occupant, later identified as JASON WALKER, sitting in the driver seat. Ofc. Rivera asked the drive to step out of the vehicle. As WALKER exited the vehicle Ofc. Rivera observed a firearm (Make: Sig Sauer, Model: P226, .40 S&W, pistol bearing serial #55B086021) in the driver side door area between the door and driver seat. WALKER was placed in handcuffs and detained in the back of Ofc. River's cruiser, car# 146. The firearm was recovered and contained twelve (12) rounds in the magazine, none in the chamber. The firearm was queried via NCIC but did not come back stolen.

8. WALKER was then transported and booked at the Lorain County Jail. WALKER is federally prohibited from possessing a firearm and ammunition.

9. WALKER was previously convicted of Attempted Felonious Assault, a felony of the third degree, and Domestic Violence, a misdemeanor of the first degree in Lorain County Common Pleas Court Case 20CR102393, on or about June 30, 2021.

INTERSTATE NEXUS DETERMINATION

10. On January 28, 2021, ATF Interstate Nexus Expert Special Agent Cory Miles advised your Affiant that the subject firearm was not manufactured in the State of Ohio. Thus, the aforementioned firearm must have traveled in interstate commerce to be found in the state of Ohio.

CONCLUSION

11. Based upon the above listed facts and circumstances, there is probable cause to believe on May 30, 2021, WALKER did unlawfully, knowingly possess, a firearm in and affecting interstate commerce after having been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of Title 18, United States Code, Section 922(g)(1), and after having been convicted of a Misdemeanor Crime of Domestic Violence, in violation of Title 18, United States Code, Section 922(g)(9).

12. The above violations were committed in the Northern District of Ohio, Eastern Division. Your Affiant requests that an arrest warrant be issued for JASON A. WALKER.



Nicola Fabrizio
Special Agent
Bureau of Alcohol, Tobacco, Firearms, and Explosives

Sworn to via telephone after submission
by reliable electronic means.

Fed. R. Crim. P. 3, 4(d), and 4.1 on this day of February 3rd, 2022.



DAVID A. RUIZ
U.S. MAGISTRATE JUDGE